

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ROGER PALMER, *et al.*,
Plaintiffs - Appellants,
v.
JOSEPH LOMBARDO, *et al.*,
Defendants - Appellees.

Case No. 3:21-cv-00268-MMD-CSD
Ninth Circuit Court of Appeals No. 22-15645

ORDER

The United States Court of Appeals for the Ninth Circuit recently issued its order for limited remand (ECF No. 72), directing this Court “solely to develop the historical and factual record” in light of the U.S. Supreme Court’s decision in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 142 S. Ct. 2111 (2022). The *Bruen* decision abrogated the two-step framework this Court had applied in evaluating Plaintiffs’ Second Amendment claim. (*Id.* at 2-3; *see also* ECF No. 65 at 4-11.) The Ninth Circuit specifically ordered the Court to make findings as to: “(1) whether A.B. 286 conforms to ‘this Nation’s historical tradition of firearm regulation,’ *Bruen*, 142 S. Ct. at 2126; (2) whether it is possible in Nevada to lawfully add a serial number to a self-manufactured unserialized firearm and/or unfinished frame or receiver, and if so, how and under what circumstances; (3) whether it is possible in Nevada to lawfully obtain serialized self-manufacturing and/or self-assembly firearm kits, and if so, how and under what circumstances; and (4) what kind of self-manufacturing Plaintiffs want to engage in.” (*Id.*)

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1 It is therefore ordered that the parties must file a joint status report with the Court
2 within 30 days of the date of entry of this order that proposes a series of next steps in this
3 case that will develop the factual and historical record on the Second Amendment issue
4 to resolution in line with the Ninth Circuit's order.

5 DATED THIS 22nd Day of June 2023.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE